

Date: 04/30/15
Time: 10:40 to 11:45

Judge: Trenga

Reporter: Montgomery
Interpreter: Sung Yang
Language: Korean

CRIMINAL MINUTES

Case Number: 3:12CR00137

Counsel:

UNITED STATES OF AMERICA

Kosta Stojikovic, John Borchert, Matthew
Burke, Rodolfo Orjales

vs.

KOLON INDUSTRIES, INC
and KOLON CORPORATION

Gretchen Byrd, Mark Pollock, Jeff Randall

Corporate Representatives:

Ee Gu Kang – Kolon Industries, Inc.
Kwang Bok Yoon – Kolon Corporation

Matter on for initial appearance, arraignment, and plea hearing. Counsel requests that the courtroom be open and that the documents be publically filed. Counsel further requested that the civil settlement agreement be filed under seal in this case.

Dfts indicated that they have received a copy of the Superseding Indictment and waive formal reading of it.

Defendants Kolon Industries, Inc. and Kolon Corporation entered guilty pleas on Count 1 of the Superseding Indictment through their corporate representatives.

Pleas accepted.

The Court finds that a presentence report is not necessary, and is prepared to go forward with sentencing today. Considering the conduct, as well as the factors under § 3553, the Court finds that the agreement of the parties on sentencing is appropriate.

Sentence imposed:

\$85,000,000.00 fine imposed, jointly and severally, as indicated in the Plea Agreement.
\$275,000,000.00 Restitution Ordered pursuant to the Plea Agreement and Restitution Order entered and filed in open court.
\$400.00 Assessment imposed.

5 year term of probation imposed w/the following conditions:

- Defendants to comply with the schedule of payments for the restitution, fine, and special assessment, as set forth in the plea agreement.

- Defendants to provide immediate notification of any change in conditions that may affect its ability to satisfy its obligation to pay the fine or restitution, and the companies shall provide such information concerning their financial situation as may be requested.

Settlement agreement in civil case filed and to be placed under seal.

Order entered dismissing Counts 2-6 of the Superseding Indictment.

Order entered Imposing Criminal Fine.